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Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

PATENT
Attorney Docket No.: 02307O-114420US
Client Reference No.: 2001-094-2

On Nov. 27, 2001

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia A. Dunn



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

John M. Krochta, et al.

Application No.: 09/879,796

Filed: June 11, 2001

For: METHODS AND
FORMULATIONS FOR PROVIDING
GLOSS COATINGS TO FOODS AND
FOR PROTECTING NUTS FROM
RANCIDITY

Examiner:

Art Unit: 1761

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated October 4, 2001, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declarations
- 2) Fee Transmittal
- 3) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a)	Filing Fee ($\$1.16(a)$) (Small Entity)	\$370.00
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(b) Excess Claims Fees (§ 1.16(b), (c)):

45 - 20 = 25 x \$9.00 = \$225.00

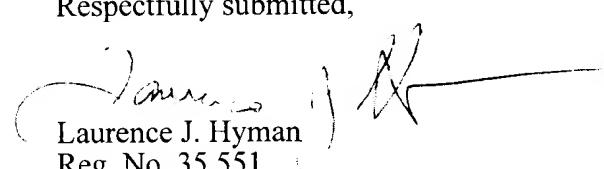
3 - 3 = 0 x \$42.00 = \$0.00

(c) Missing Parts Surcharge \$65.00

TOTAL FEES TO BE CHARGED \$660.00

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,


Laurence J. Hyman
Reg. No. 35,551

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415 576-0300
LJH:pja

SF 1295215 v1

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/879,796

Filing Date

June 11, 2001

First Named Inventor

Krochta, John M.

Group Art Unit

1761

Examiner Name

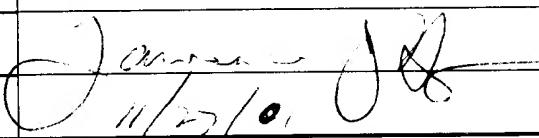
Attorney Docket Number

023070-114420US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard, Declarations
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

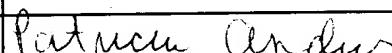
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Laurence J. Hyman	
Signature		
Date	11/27/01	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

11/27/01

Typed or printed name	Patricia Andrews	
Signature		Date
	11/27/01	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1295231 v1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 660)

Complete if Known

Application Number 09/879,796

Filing Date June 11, 2001

First Named Inventor Kroccta, John M.

Examiner Name

Group Art Unit 1761

Attorney Docket No. 023070-114420US

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 20-1430

Deposit Account Name Townsend and Townsend and Crew LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee Code	Small Entity Fee	Fee Description	Fee Paid
105	130	205	Surcharge - late filing fee or oath	65
127	50	227	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	Non-English specification	
147	2,520	147	For filing a request for reexamination	
112	920*	112	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	Requesting publication of SIR after Examiner action	
115	110	215	Extension for reply within first month	
116	400	216	Extension for reply within second month	
117	920	217	Extension for reply within third month	
118	1,440	218	Extension for reply within fourth month	
128	1,960	228	Extension for reply within fifth month	
119	320	219	Notice of Appeal	
120	320	220	Filing a brief in support of an appeal	
121	280	221	Request for oral hearing	
138	1,510	138	Petition to institute a public use proceeding	
140	110	240	Petition to revive – unavoidable	
141	1,280	241	Petition to revive – unintentional	
142	1,280	242	Utility issue fee (or reissue)	
143	460	243	Design issue fee	
144	620	244	Plant issue fee	
122	130	122	Petitions to the Commissioner	
123	50	123	Petitions related to provisional applications	
126	180	126	Submission of Information Disclosure Stmt	
581	40	581	Recording each patent assignment per property (times number of properties)	
146	740	246	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	Request for Continued Examination (RCE)	
169	900	169	Request for expedited examination of a design application	
Other fee (specify)				

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

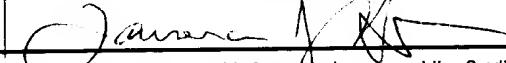
SUBTOTAL (3)

(\$65)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Laurence J. Hyman	Registration No. (Attorney/Agent)	35,551	Telephone	415-576-0200
Signature				Date	11/27/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1295219 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/879,796	06/11/2001	John Kroccta	23070114420

DEC 31 2001



TOWNSEND AND TOWNSEND AND CREW
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 3744

FORMALITIES LETTER



OC00000006843776

Date Mailed: 10/04/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$225.
 - **\$225 for 25 total claims over 20.**
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 645.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE